United Nations A/72/941

General Assembly

Distr.: General
2 August 2018

Original: English

Seventy-second session
Agenda item 14
Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Letter dated 31 July 2018 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General

I have the honour to submit herewith a memorandum signed by the Minister for Foreign Affairs and Human Mobility (surrogate), Andrés Terán Parral, on the withdrawal of the reservations Ecuador made at the International Conference on Population and Development (see annex).

Attached to the memorandum is an outline of the position of the Government of Ecuador on the withdrawal of its reservations to the Programme of Action of the International Conference on Population and Development, adopted at the 14th plenary meeting of the International Conference on Population and Development, held on 13 September 1994, in Cairo, which contains references to the concepts of family, reproductive rights, reproductive health and family planning.

In this regard, I would appreciate it if you could kindly circulate the present letter and its annex as a document of the General Assembly, under agenda item 14.

(*Signed*) Diego **Morejón Pazmiño**
Permanent Representative

18-12773 (E) 090818 130818

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Annex to the letter dated 31 July 2018 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General

I am pleased to inform you that on 23 November 2017 Ecuador withdrew the reservations to the Programme of Action of the International Conference on Population and Development that it made at the Conference, which was held in Cairo in 1994.

In this regard, I attach herewith a document setting out the reasons for which Ecuador withdrew its reservations to the Programme of Action (see enclosure). I should be grateful if you would have this letter and its enclosure circulated to the States Members of the United Nations to complete the withdrawal process.

(*Signed*) Andrés **Terán Parral**
Minister for Foreign Affairs and Human Mobility (surrogate)

Enclosure

[Original: Spanish]

Withdrawal of the reservations made by Ecuador to the Programme of Action of the International Conference on Population and Development, adopted in Cairo in 1994

The Republic of Ecuador,

Taking into consideration the "reservations" that the country made at the 13th plenary meeting of the International Conference on Population and Development, held on 13 September 1994, which referred to such concepts as the family, reproductive rights, reproductive health and family planning,

Considering the commitments of Ecuador as a State party to the Convention on the Elimination of All Forms of Discrimination against Women, and taking into account the position adopted by the Committee on the Elimination of Discrimination against Women with regard to those reservations, and

Considering that in 2008 Ecuador adopted a new Constitution which, among other advances, reflects the content of various international instruments, including with regard to sexual rights, reproductive rights and the right to a life free of gender-based violence,

Wishes to express the following:

1. The Ecuadorian Constitution provides for a new social pact based on the ethical and legal framework of human rights, which has resulted in fundamental changes in the status of citizens and the expansion of guarantees and recognition of rights; therefore, the grounds for the reservations made in 1994 are incompatible with the content of the current Constitution;

2. The Constitution establishes that the primary duty of the State is to guarantee the human rights recognized in the Constitution and international human rights instruments, without discrimination of any kind;

3. Equality is a fundamental right established in the Ecuadorian Constitution: article 11 thereof provides that "all persons are equal and shall enjoy the same rights, duties and opportunities. No one may be discriminated against on the grounds of ethnicity, place of birth, age, sex, gender identity, cultural identity, civil status, language, religion, ideology, political affiliation, criminal record, socioeconomic status, migration status, sexual orientation, state of health, HIV status, disability, physical difference or any other distinguishing feature, whether personal or collective, temporary or permanent, with the aim or effect of diminishing or nullifying the recognition, enjoyment or exercise of rights";

4. Article 32 of the Constitution establishes that health is a right guaranteed by the State, the fulfilment of which is linked to the exercise of other rights, and that the State shall guarantee this right through economic, social, cultural, educational and environmental policies, and permanent and timely access, without exclusion, to programmes, activities and services for the promotion of comprehensive health care, sexual health and reproductive health;

5. Article 43 of the Constitution provides that the State shall guarantee pregnant women and nursing mothers: (1) the right not to be discriminated against in education, society and employment because of their pregnancy; (2) the right to free maternal health services; (3) the right to priority protection and care of all aspects of their health and their lives during pregnancy, childbirth and the post-partum period; and (4) the right of access to the facilities necessary for recovery after pregnancy and while nursing;

6. Article 45 of the Constitution provides that children and adolescents shall enjoy the rights common to all human beings, in addition to those specific to their age, and that the State shall recognize and guarantee life, including care and protection from the time of conception;

7. In the field of sexual and reproductive rights, article 66 (9) of the Constitution recognizes the right of persons to take free, informed, voluntary and responsible decisions about their sexuality, life and sexual orientation and provides that the State shall promote access to the means required for these decisions to be taken in safe conditions; and article 66 (10) recognizes the right of persons to take free, responsible and informed decisions about their health and reproductive lives and to decide when to have children and how many to have;

8. Article 67 of the Constitution recognizes as subjects of law and protection the various types of families constituted by legal or de facto ties and guarantees them conditions conducive to the full attainment of their goals;

9. Article 69 of the Constitution provides that, in order to protect the rights of family members, responsible motherhood and fatherhood shall be promoted; and the mother and father shall be obliged to care for, rear, educate and feed their children, ensure their comprehensive development and protect their rights, particularly when they are separated from them for any reason;

10. Article 347 of the Constitution establishes that it is the responsibility of the State to ensure that all educational establishments provide education in citizenship, sexuality and the environment, using a rights-based approach; and article 363 of the Constitution stipulates that the State shall be responsible for providing sexual and reproductive health activities and services, and for guaranteeing women's overall health and protecting their lives, especially during pregnancy, delivery and the post-partum period;

11. The Programme of Action is fully consistent with the Constitution of Ecuador, and paragraph 8.25 thereof is particularly emphatic in stressing that "in no case should abortion be promoted as a method of family planning. All Governments and relevant intergovernmental and non-governmental organizations are urged to strengthen their commitment to women's health";

12. The Programme of Action is not an international treaty and, therefore, is not legally binding; rather, since it is a political declaration, the withdrawal by Ecuador of the "reservations" to the Programme of Action offers the opportunity to inform the international community of the Government's commitment to human rights, in line with the 2017–2021 National Development Plan, the law as it stands and the great national crusade to fight discrimination and violence against women; and

13. Maintaining the "reservations" to the Cairo Programme of Action would imply the continuation of a foreign policy position incompatible with article 416 (7) of the Constitution of the Republic, which stipulates, as a principle that the Government must observe in international relations, respect for human rights and the promotion of their full realization through fulfilment of the obligations assumed with the signing of international human rights instruments.

In the light of the above, considering the applicable provisions of the Constitution of the Republic of Ecuador and the specific nature of the Cairo Programme of Action, Ecuador, on 23 November 2017, decided to withdraw the reservations made on 13 September 1994 to the Programme of Action, and therefore requests that this document be circulated among the Members of the United Nations as a formal declaration of the reasons for its decision.

United Nations A/72/942–S/2018/571

General Assembly
Security Council

Distr.: General
2 August 2018

Original: English

General Assembly
Seventy-second session
Agenda item 44
Question of Cyprus

Security Council
Seventy-third year

Letter dated 31 July 2018 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 30 July 2018 (see annex) addressed to you by the representative of the Turkish Republic of Northern Cyprus, İsmet Korukoğlu.

I should be grateful if the present letter and its annex would be circulated as a document of the General Assembly, under agenda item 44, and of the Security Council.

(*Signed*) Başak **Yalçın**
Chargé d'affaires a.i.

18-12763 (E) 070818

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Annex to the letter dated 31 July 2018 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I am writing in response to the letter dated 9 July 2018 addressed to you by the Greek Cypriot representative in New York and circulated as a document of the General Assembly and of the Security Council (A/72/934-S/2018/681), which, yet again, contains false assertions similar to those made in his previous letters. In order to set the record straight, I should like to bring the following to your kind attention.

At the outset, regarding the claims of so-called "infringements of international air traffic regulations" and "violations of the national airspace of the Republic of Cyprus by Turkey", I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the relevant authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. The civil aviation authority of the Turkish Republic of Northern Cyprus is the sole competent authority to provide air traffic and aeronautical information services within its own national airspace. As for the false assertion that notices to airmen are "illegally issued", it must be underlined that activities within the Ercan advisory airspace that require notices to airmen are carried out by the relevant authorities of the Turkish Republic of Northern Cyprus in accordance with article 3 of the Convention on International Civil Aviation (Chicago Convention).

Similarly, the claim in the letter regarding the Turkish Cypriot ports is also baseless, given the fact that the Greek Cypriot administration has no jurisdiction or right of say over Northern Cyprus. Furthermore, this claim ignores the present realities on the ground, namely, the existence of two independent self-governing States on the island of Cyprus, each exercising sovereignty and jurisdiction within its respective territory.

As to the repeated false allegations regarding Ercan Airport in the North, it should once again be underlined that the technologically up-to-date Ercan area control centre and airport in North Cyprus have been providing regular, reliable and safe air traffic services since the Greek Cypriot refusal in 1977 to provide air traffic services in the northern part of the island, in line with its isolation policy that has been imposed on the Turkish Cypriot people. Ever since, all flights within the sovereign airspace of the Turkish Republic of Northern Cyprus have taken place with the full knowledge and permission of the Civil Aviation Department of the Turkish Republic of Northern Cyprus, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or control. Furthermore, I should like to stress that the allegation regarding the interference of radio frequencies is also totally baseless.

Moreover, the isolation imposed on the Turkish Cypriots, which the Greek Cypriot side attempts to perpetuate by encouraging the international community to deem all airports and seaports in Northern Cyprus "illegal", is in complete contravention of international law, as well as the call made by the then Secretary-General, Kofi Annan, in his report to the Security Council dated 28 May 2004 (S/2004/437), in which he clearly stated: "I would hope [the members of the Security Council] can give a strong lead to all States to cooperate both bilaterally and in international bodies to eliminate unnecessary restrictions and barriers that have the effect of isolating the Turkish Cypriots and impeding their development, deeming such a move as consistent with Security Council resolutions 541 (1983) and 550 (1984)".

The legislation of the Turkish Republic of Northern Cyprus on aeronautical safety meets all standards and recommendations of the International Civil Aviation Organization, providing safe and swift navigation of aircraft landing at or taking off from Ercan Airport and using the airspace of the Turkish Republic of Northern Cyprus. All airports in Northern Cyprus are in full conformity with international standards, and necessary investments have been made to keep up with the developing technology. The number of air traffic controllers has been increased in accordance with the increasing number of flights over the years, and the Ercan area control centre is in regular and close cooperation with the Ankara area control centre in order to ensure the safe conduct of all flights in the region. In 2017 alone, the number of passengers who used Ercan Airport stood at 3,962,541, and this number is expected to reach 4,200,294 in 2018. Moreover, in 2017, 27,197 aeroplanes used Ercan Airport for arrival and departure and 189,787 aeroplanes used the Ercan advisory airspace, and these numbers are expected to reach 27,469 and 193,583, respectively, in 2018. In that regard, it must also be stressed that the Turkish Cypriot side is committed to upholding the highest standards in the field of air navigation safety, in full conformity with the Chicago Convention of 1944, and that it is ready to cooperate with the Greek Cypriot authorities on this very important issue.

Availing myself of the present opportunity, I should like to call upon the Greek Cypriot side to discontinue such counterproductive and outdated rhetoric. Moreover, the Greek Cypriot administration should once again be reminded that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey.

(*Signed*) İsmet **Korukoğlu**
Representative
Turkish Republic of Northern Cyprus

United Nations A/72/943–S/2018/570

General Assembly
Security Council

Distr.: General
2 August 2018

Original: English

General Assembly
Seventy-second session
Agenda item 34 (a)
Prevention of armed conflict: prevention of armed conflict

Security Council
Seventy-third year

Letter dated 1 August 2018 from the Chargé d'affaires a.i. of the Permanent Mission of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a comment of the Ministry of Foreign Affairs of Ukraine on yet another uncoordinated visit of the Prime Minister of the Russian Federation, Dmitry Medvedev, to the temporarily occupied Autonomous Republic of Crimea, Ukraine (28–29 July 2018) (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under item 34 (a), and of the Security Council.

(*Signed*) Yuriy **Vitrenko**
Chargé d'affaires a.i.

18-12778 (E) 060818

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Annex to the letter dated 1 August 2018 from the Chargé d'affaires a.i. of the Permanent Mission of Ukraine to the United Nations addressed to the Secretary-General

Comment of the Ministry of Foreign Affairs of Ukraine on yet another uncoordinated visit of the Prime Minister of the Russian Federation, Dmitry Medvedev, to the temporarily occupied Autonomous Republic of Crimea, Ukraine (28–29 July 2018)

The Ministry of Foreign Affairs of Ukraine expresses its strong protest against yet another so-called "visit" of the Prime Minister of the Russian Federation, Dmitry Medvedev, to the temporarily occupied Autonomous Republic of Crimea and city of Sevastopol, Ukraine, on 28 and 29 July 2018.

The Ministry of Foreign Affairs of Ukraine has repeatedly emphasized the inadmissibility of visits by Russian officials to the sovereign territory of Ukraine in its internationally recognized borders, which include the Autonomous Republic of Crimea and the city of Sevastopol, without coordination with Ukraine.

This so-called "visit" by Prime Minister Medvedev to the territory of the Autonomous Republic of Crimea is a flagrant violation of the State sovereignty and territorial integrity of Ukraine, showing blatant and demonstrative neglect by the Russian side of universally recognized norms of international law and obligations under bilateral and multilateral treaties to which the Russian Federation and Ukraine are parties, including the Charter of the United Nations and General Assembly resolutions 68/262 of 27 March 2014, entitled "Territorial integrity of Ukraine", 71/205 of 19 December 2016, entitled "Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)", and 72/190 of 19 December 2017, entitled "Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine".

The Autonomous Republic of Crimea and the city of Sevastopol are an integral part of the territory of Ukraine in its internationally recognized borders. It is recognized by the whole international community, which has repeatedly made its proper assessment of the internationally illegal actions of the Russian Federation by adopting relevant resolutions of the United Nations, the Council of Europe, the Organization for Security and Cooperation in Europe and other international organizations, and imposing sanctions against the occupying State.